

REMARKS

Favorable consideration and allowance of the application is respectfully requested. Claims 33-36, 38, 40 and 43 were in the application, these claims have been cancelled and new claims 44-63 have been added.

The applicant has executed a revocation and new power of attorney form which is being submitted with this amendment. Communication should be directed to the undersigned attorney who is now of record in this case.

After review of the prosecution history, it appeared prudent to recast the claims to clarify the applicants invention, and therefore entry of the amendment after final was not requested. It is noted that the specification contains numerous translation errors, and a substitute specification is being prepared to correct these errors and this will be submitted shortly.

Claims 33, 34 and 36 were rejected as being anticipated by or obvious over Nelson, U.S. Patent no. 5,820,456. While the cancellation of these claims has rendered the rejection moot, comment is appropriate on the patentability of new claim 44 over this patent.

Nelson discloses a system for maintaining a constant positive pressure in a paint spray booth. See the summary of the invention where it describes the system as controlling an exhaust fan or exhaust damper "so as to maintain the differential at a desired constant level".

On the other hand, the applicants invention is directed to an interrelationship between room temperature and room pressure such that the differential pressure in a room will vary in response to various parameters. This is shown for example in Figs. 6a and 6b. Thus, it is in direct opposition to Nelson which teaches a system for maintaining a constant positive pressure, and there are no means to regulate room pressure, to vary the pressure in correspondence to the selected room temperature. Thus, the invention is patentable over Nelson.

Claim 33 was considered anticipated by GB 344,914 but this rejection is believed to be moot in view of the above discussion.

Claims 34-36 and 38 were considered obvious over GB 344,914 in view of Crider. However, the combination does not render obvious the claimed invention. Crider is concerned with ventilating a livestock house, and this requires that a negative pressure be maintained so as to draw and maintain a significant air exchange in the house. Again, this is distinct from the applicants invention where an increased room air pressure is varied by regulation means in correspondence to a select room temperature. There is no teaching or suggestion for providing a system according to the applicants invention and the present claims are distinguishable therefrom.

Based on the above amendments and remarks, favorable consideration and allowance of the application is respectfully requested.

Respectfully submitted,



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